(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 906 OF 2002

BETWEEN

Ramakant Prasad Gupta S/o Jitan Prasad ,aged about 42 years, Resident of Old Bus Stand, Ambikapur, Through Attorney Holder Radha Krishn Prasad Gupta S/o Shanker Dayal Prasad, aged 30 years, Resident of Old Bus Stand Ambikapur District Sarguja (CG).

PETITIONER

P. R. No. 901/2
Presented by Shri ...
dated ...

AND

1. The State of Chhattisgarh, Through the Secretary Department of Transport D.K.S. Building, Raipur, Tahsil and District Raipur (CG).

2. The Additional Regional Transport Officer/ Taxation Authority Ambikapur, District Sarguja (CG).

3. The Transport Inspector, RTO ~~Barrier~~ Barrier Rengalpali District Raigarh.

4. The Collector Sarguja, District Sarguja (CG).

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 906/2002 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

16.05.2002

Shri Prashant Mishra, counsel for the petitioner.

Shri Sanjay K. Agrawal, Deputy Advocate General takes notice for the respondents.

Heard both the counsel.

The petitioner has in this petition sought for quashing of the seizure of the vehicle namely bus bearing registration No.CIL 9013 - Annexure P-1 and direct the respondents to produce the entire records of the case for perusal of this Court and quashing the order dated 28.03.2002 - Annexure P-10 passed by the respondent No.3. The vehicle was seized for plying without permit.

Learned counsel for the respondents submitted that as against the order - Annexure P-10 passed by the respondent No.3, the appeal lies to the Appellate Authority, Raipur.

Having regard to the facts and circumstances of the case, it is appropriate to release the aforesaid vehicle in favour of the petitioner, subject to the petitioner's depositing 50% of the amount demanded in Annexure P-10 and direct the petitioner to file an appeal against Annexure P-10 before the Appellate Authority. Accordingly, the writ petition is disposed of.

The respondent No.3 is directed to release the aforesaid vehicle bearing registration No.CIL 9013 in favour of the petitioner

पीछे देखिये

(35)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No. 906/2002. सन् 200

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

and the petitioner is directed to pay half of the amount mentioned in Annexure P-10 within one month from today. The petitioner is further directed to approach the Appellate Authority so far as the order dated 28.03.2002 - Annexure P-10 passed by the respondent No.3 is concerned within 10 days from today.

If the appeal is filed by the petitioner against the order - Annexure P-10 before the Appellate Authority, the Appellate Authority would dispose of the same without reference to the limitation.

In view of this order, all the applications and the petition stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
Chief Justice

Soma

[पीछे देखिये